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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PERRY M ROTHERMEL,

Petitioner,

v.

JEFFREY UTTECHT,

Respondent.

CASE NO. C11-1161-JLR

ORDER DENYING PETITIONER'S
HABEAS PETITION WITH
PREJUDICE

The Court, having reviewed petitioner's petition for writ of habeas corpus, respondent's

answer thereto, the Report and Recommendation of Mary Alice Theiler, United States

Petitioner's Objections To The Report and Recommendation, Petitioner's Application for Certificate of
Magistrate Judge, and the remaining record, does hereby find and Order: Appealability

(1) The Court adopts the Report and Recommendation;

(2) Petitioner's habeas petition and this action are DISMISSED, with prejudice;

(3) Petitioner is DENIED issuance of a certificate of appealability, and

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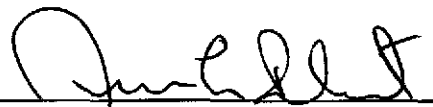
11-CV-01161-ORD

ORDER DENYING PETITIONER'S
HABEAS PETITION WITH PREJUDICE
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Cc To CCA Clerk - JLR

01 (4) The Clerk is directed to send copies of this Order to petitioner, to counsel for
02 respondent, and to Judge Theiler.

03 DATED this 12th day of April, 2012.

04 
05 JAMES L. ROBART
06 United States District Judge
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